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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHINA ENERGY CORPORATION,

Plaintiff,

vs.

ALAN HILL, et al.,

Defendants,

ELENA SAMMONS AND MICHAEL
SAMMONS,
Third-Party Plaintiffs

vs.

CEDE & CO., THE DEPOSITORY TRUST
COMPANY, AND COR CLEARING, LLC

Third-Party
Defendants.

3:13-CV-562-MMD-VPC

**REPLY IN SUPPORT OF
EMERGENCY MOTION TO
EXTEND TIME FOR THIRD-
PARTY DEFENDANTS CEDE &
CO. AND THE DEPOSITORY
TRUST COMPANY TO FILE A
REPLY TO THIRD-PARTY
PLAINTIFFS' AMENDED
RESPONSE TO MOTION TO
DISMISS AND/OR STRIKE
THIRD-PARTY COMPLAINT**

1 Third-Party Defendants Cede & Co. (“Cede”) and The Depository Trust Company
 2 (“DTC”) (together, the “DTC Defendants”), hereby submit the following reply in support of their
 3 motion (the “Motion”) (Doc. #194) requesting an order extending the time from April 4, 2014 to
 4 April 9, 2014, for DTC Defendants to file a reply to Third-Party Plaintiffs’ Amended Response
 5 to Motion to Dismiss and/or Strike Third-Party Complaint (“Amended Response”) (Doc. #172).

6 With his opposition (Doc. #195) to DTC Defendants’ Motion, Third-Party Plaintiff fails
 7 to offer a single substantive reason why the Court should deny DTC Defendants’ request for a
 8 brief five (5) day extension to file their reply brief. Third-Party Plaintiff does not dispute the
 9 need for DTC Defendants to investigate the new allegations raised by Third-Party Plaintiffs in
 10 their Amended Response, that DTC Defendants have been diligently working on a reply since
 11 the Court resolved the issue (by Order dated March 21, 2014 (Doc. # 192)) of which filing DTC
 12 Defendants must respond to, and that DTC Defendants’ investigative efforts have been
 13 complicated by the fact the client contact and local counsel are both presently out of the country.
 14 Nor does Third-Party Plaintiff claim he will suffer any prejudice if the Court grants the brief five
 15 (5) day request. Third-Party Plaintiff’s only contention is that DTC Defendants’ reply should be
 16 as simple as making minor changes to their prior reply (Doc. #171), which as set forth above and
 17 in the Motion, simply is not the case.¹

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28 1 In footnote 1, Third-Party Plaintiff makes several arguments regarding impleader and severance, all of
 which are entirely irrelevant to the present request for an extension of time.

1 Under these circumstances, DTC Defendants submit that their motion is reasonable and
2 that good cause exists for granting the same.² Accordingly, DTC Defendants hereby request that
3 the Court grant them until the end of the day on April 9, 2014, to file their reply to Third-Party
4 Plaintiffs' Amended Response.

5 Dated: April 3, 2014.

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28 2 As noted in the Motion at footnote 1, DTC Defendants reserve all of their rights, including their rights with
respect to the pending motion to dismiss on the basis of lack of personal jurisdiction.

CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On this 3rd day of April, 2014, I caused to be served a true and correct copy of the forgoing *Reply in Support of Emergency Motion to Extend Time for Third-Party Defendants Cede & Co. and The Depository Trust Company to File a Reply to Third-Party Plaintiffs' Amended Response to Motion to Dismiss and/or Strike Third-Party Complaint* by method indicated

XX by Court's CM/ECF Program

And addressed to the following:

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